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January 6, 2016

By ECF

Honorable Rosemary Gambardella  
Judge, U.S. Bankruptcy Court  
MLK Jr. Federal Building  
50 Walnut Street  
Newark, NJ 07101

Re: Falls View Apartments, LLC  
Case #15-28841 RG

Dear Judge Gambardella:

We represent Donald V. Biase, Chapter 11 Trustee in the above captioned matter. We submit this letter in opposition to the fee application filed by Richard Kotkin, Esq., counsel to the Debtor.

Subsequent to filing the Chapter 11 case, Mr. Kotkin moved to be retained as counsel for the Debtor In Possession. The U.S. Trustee and Chapter 11 Trustee objected to Mr. Kotkin's retention on various grounds, including his failure to qualify as an ECF filer.

On December 15, 2015, Mr. Kotkin appeared before the Honorable Stacey Meisel and advised that he would withdraw his application for retention but requested that he be authorized to keep the retainer fee of \$2,000.00 paid to him pre-Petition. I advised, on behalf of the Chapter 11 Trustee, that we had no objection. The Court then directed Mr. Kotkin to file an Application for Allowances or Affidavit of Services regarding the \$2,000.00 retainer. I now see that Mr. Kotkin has filed an Application in which he seeks allowances of \$4,200.00. Clearly, that is contrary to what he represented to Judge Meisel and certainly far exceeds the value of his services in this matter.



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Accordingly, we object to the payment of allowances to Mr. Kotkin above the retainer fee which he previously received in the amount of \$2,000.00.

Respectfully yours,

A handwritten signature in dark ink, appearing to read 'R. B. Honig', written in a cursive style.

Richard B. Honig

RBH:bmj

cc: Donald V. Biase, Trustee  
Richard H. Kotkin, Esq.  
Mitchell Hausman, Esq.  
Moshie Solomon, Esq.